

**United States District Court**  
**for**  
**Middle District of Tennessee**  
**Report on Offender Under Supervision**

Name of Offender: Chad S. Fisher

Case Number: 2:05-00008

Name of Judicial Officer: Honorable Aleta A. Trauger, United States District Judge

Date of Original Sentence: December 19, 2005

Original Offense: 18 U.S.C. § 922(g)(1) and 924 Convicted Felon in Possession of Firearm

Original Sentence: 84 months' custody and 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: August 20, 2013

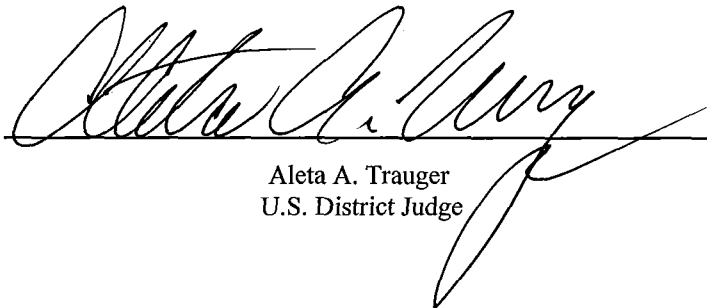
Assistant U.S. Attorney: None Assigned

Defense Attorney: None Assigned

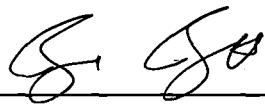
The Court orders:

- ☒ No Action Necessary at this Time  
☐ Submit a Request for Modifying the Condition or Term of Supervision  
☐ Submit a Request for Warrant or Summons  
☐ Other

Considered this 12<sup>th</sup> day of Aug., 2014,  
and made a part of the records in the above case.

  
Aleta A. Trauger  
U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,

  
Brad Bartels  
U.S. Probation Officer

Place Cookeville, TN

Date August 12, 2014

**ALLEGED VIOLATIONS**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

- |                  |  |
|------------------|--|
| <b><u>1.</u></b> | <b><u>The defendant shall not commit another federal, state, or local crime.</u></b><br>According to the arrest affidavit, on July 31, 2014, White County Sheriff's Deputies were dispatched to a single vehicle accident. Upon arrival, Mr. Fisher openly admitted he had consumed numerous cans of beer and was too drunk to be driving. Mr. Fisher was asked to perform several field sobriety tests, but he refused and said there was no need to do so. Mr. Fisher was subsequently arrested after deputies had read him the implied consent form. Mr. Fisher refused to submit to a blood alcohol content test, and was cited for that violation. He was charged with Driving Under the Influence and Implied Consent. The arrest affidavit has been attached for Your Honor's review. |
|------------------|--|


**Compliance with Supervision Conditions and Prior Interventions:**

Mr. Fisher began his three-year term of supervised release on April 20, 2012, and is due to terminate supervision on April 19, 2015. Chad Fisher is employed at Gerald Fisher Construction and lives alone in Sparta, Tennessee. He was referred for a substance abuse assessment on April 20, 2012, and was recommended to attend monthly outpatient substance abuse treatment at Cumberland Mountain Mental Health in Crossville, Tennessee. Mr. Fisher successfully completed outpatient substance abuse treatment on April 1, 2013.

This is Mr. Fisher's first violation while on supervised release. Mr. Fisher was honest with the probation officer about his drinking habit and admitted to being an addict. The probation officer encouraged Mr. Fisher to associate with positive individuals and reminded him that his children were looking to him to be a positive example. Mr. Fisher said this was a "wake up call" and wanted to learn from his mistake. As a result of the arrest, Mr. Fisher was referred for a substance abuse assessment at Plateau Mental Health in Cookeville, Tennessee. Mr. Fisher has agreed to participate in any treatment deemed necessary, but no less than two treatment sessions per month. His next state court date has been scheduled for September 12, 2014.

**U.S. Probation Officer Recommendation:**

The probation officer is requesting that no additional action be taken by the Court at this time. It is recommended that Mr. Fisher remain on supervised release, actively participate in outpatient substance abuse treatment, and not incur any future violations. The U.S. Attorney's office has been advised of the issue and is in agreement with this recommendation.

Approved:  (Scr)  
Britton Shelton  
Supervisory U.S. Probation Officer

## GENERAL SESSIONS COURT OF WHITE COUNTY, TENNESSEE

State of Tennessee vs. CHAD S. FISHER

State Control # 4341 White County Case # GS 29747

Attorney for Defendant \_\_\_\_\_ Address 3469 GRIFINTOWN RD

Court Date 08/08/2014 SPARTA TN 38583

State, Deft. to \_\_\_\_\_ at \_\_\_\_\_ Phone \_\_\_\_\_ DL# 079461776

State, Deft. to \_\_\_\_\_ at \_\_\_\_\_ DOB 04/01/1977 SSN# 411414715

State, Deft. to \_\_\_\_\_ at \_\_\_\_\_ Sex MALE Race CAUCASIAN Ht 5' 11" Wt 185 LBS

Work \_\_\_\_\_ Hair BROWN - BRO Eyes HAZEL - HAZ

## AFFIDAVIT OF COMPLAINT

I, the affiant named below, after being sworn, state under oath that on or about 07/31/2014 in White County, Tennessee,  
CHAD S. FISHER committed the offense(s) of:

- (1) DRIVING UNDER INFLUENCE INTOX/DRUGS in violation of TCA # 55-10-401
- (2) \_\_\_\_\_ in violation of TCA # \_\_\_\_\_
- (3) \_\_\_\_\_ in violation of TCA # \_\_\_\_\_

I further state under oath that the essential facts constituting the offense(s), the sources of my information and the reasons why this information is believable and reliable are as follows:

CHAD S. FISHER HAS COMMITTED THE OFFENSE OF DRIVING UNDER THE INFLUENCE BY BEING IN CONTROL OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF SOME INTOXICATING BEVERAGE AND/OR DRUG. ON 07/31/2014 AT APPROXIMATELY 846 PM DEPUTIES WERE DISPATCHED TO A SINGLE VEHICLE ACCIDENT ON WILLIE JARVIS RD. UPON ARRIVAL SGT JULIAN CAME UPON A RED CAMARO THAT RAN OFF THE ROADWAY INTO A SHALLOW POND. WHEN SGT JULIAN CAME INTO CONTACT WITH THE DRIVER MR CHAD FISHER HE OPENLY ADMITTED THAT HE HAD CONSUMED NUMEROUS CANS OF BEER THIS EVENING, AND WAS TOO DRUNK TO BE DRIVING. MR FISHER WAS ASKED TO PERFORM SEVERAL FIELD, BUT REFUSED TO DO THEM SAYING THERE WAS NO NEED. MR FISHER WAS THEN PLACED UNDER ARREST, AND READ HIS IMPLIED CONSENT FORM. MR FISHER REFUSED TO SUBMIT TO BAC, AND WAS CITED FOR THAT VIOLATION. MR FISHER WAS THEN TRANSPORTED TO THE WHITE COUNTY JUSTICE CHARGED WITH DUI 1ST OFFENSE. SAID OFFENSE OCCURRED IN WHITE COUNTY, TENNESSEE.

Affiant's Signature: \_\_\_\_\_

Name (Printed):

SGT. A JULIAN

Address (Printed):

111 DEPOT ST. SPARTA, TN.38583

Phone#

(931) 836-3807 EXT.

Sworn to and subscribe before me on

08/01/2014

  
 Judge/Clerk/Judicial Commissioner

## PROBABLE CAUSE DETERMINATION

Based on the affidavit of complaint, I find there is probable cause to believe that on the date set forth above in County, Tennessee the defendant committed the offenses(s) of violation(s) of TCA # 55-10-401

☐ Defendant given citation or arrested without warrant☒ Arrest warrant shall issue☐ Criminal summons shall issueDate 07/31/2014
  
 Judge/Clerk/Judicial Commissioner

# GENERAL SESSIONS COURT OF WHITE COUNTY, TENNESSEE

State of Tennessee vs.

CHAD

S. FISHER

State Control # 4341

White County Case #

29747

## Judgement

Costs taxed to the ☐ State ☐ Prosecutor/Affiant - to be paid in \_\_\_\_\_ or appear in Court on \_\_\_\_\_ for review.

☐ State's motion to not prosecute ☐ after preliminary hearing ☐ by agreement of affiant ☐ affiant did not appear ☐ Defendant waived extradition

Cost taxed to the Defendant - to be paid in \_\_\_\_\_ or appear in Court on \_\_\_\_\_ for review.

☐ Costs and Fine ☐ Cost ☐ Fine ☐ Waived (defendant indigent) ☐ Restitution

(1) Found GUILTY of violation of TCA 55-10-401 DRIVING U/INFLUENCE INTOX/DRUGS

fined \_\_\_\_\_, taxed with costs and taxes and sentenced to serve \_\_\_\_\_ months \_\_\_\_\_ days in the White County Jail (Class \_\_\_\_\_ Misd.)

☐ Concurrent to \_\_\_\_\_

☐ Consecutive to \_\_\_\_\_

☐ Dismissed upon motion of State

☐ Dismissed after preliminary hearing

☐ Not Guilty

☐ Nolle Prosequi

☐ Dismissed upon plea to Lesser/other Charge ☐ Pretrial/Judicial Diversion

(2) Found GUILTY of violation of TCA

fined \_\_\_\_\_, taxed with costs and taxes and sentenced to serve \_\_\_\_\_ months \_\_\_\_\_ days in the White County Jail (Class \_\_\_\_\_ Misd.)

☐ Concurrent to \_\_\_\_\_

☐ Consecutive to \_\_\_\_\_

☐ Dismissed upon motion of State

☐ Dismissed after preliminary hearing

☐ Not Guilty

☐ Nolle Prosequi

☐ Dismissed upon plea to Lesser/other Charge ☐ Pretrial/Judicial Diversion

(3) Found GUILTY of violation of TCA

fined \_\_\_\_\_, taxed with costs and taxes and sentenced to serve \_\_\_\_\_ months \_\_\_\_\_ days in the White County Jail (Class \_\_\_\_\_ Misd.)

☐ Concurrent to \_\_\_\_\_

☐ Consecutive to \_\_\_\_\_

☐ Dismissed upon motion of State

☐ Dismissed after preliminary hearing

☐ Not Guilty

☐ Nolle Prosequi

☐ Dismissed upon plea to Lesser/other Charge ☐ Pretrial/Judicial Diversion

Jail sentence suspended except \_\_\_\_\_ on condition of good behavior, payment of fines, costs and taxes and restitution of \_\_\_\_\_

to \_\_\_\_\_ and ☐ no contact with \_\_\_\_\_ ☐ supervised probation for \_\_\_\_\_

☐ unsupervised probation for \_\_\_\_\_ ☐ not drive in Tennessee for \_\_\_\_\_ year(s) and \_\_\_\_\_ months ☐

☐ Completion of

☐ DUI School

☐ alcohol/drug evaluation and counseling

☐ domestic abuse counseling

☐ \_\_\_\_\_ hours of community service to be completed within \_\_\_\_\_

To report to jail to begin serving sentence no later than \_\_\_\_\_ at \_\_\_\_\_

Time served credit \_\_\_\_\_ ☐ Sentence may be served on consecutive weekends.

Program eligibility date is \_\_\_\_\_ % of the term of imprisonment [pursuant to TCA# 40-35-302(d)].

☐ Appealed ☐ Defendant bound over to White County Grand Jury after ☐ preliminary hearing ☐ waving preliminary hearing and

☒ bail set at \$1,500.00 ☐ Defendant shall continue on current bond of \_\_\_\_\_

Other \_\_\_\_\_

Date \_\_\_\_\_

Sam Benningfield, Judge



# TENNESSEE IMPLIED CONSENT ADVISEMENT

## Section I

AGENCY TRACKING NUMBER		AGENCY ORI	AGENCY NAME	
		009300	White County SO	
OFFICER INFORMATION				
OFFICER NAME (Last, First, Middle)		BADGE NO.	RANK	DISTRICT/ZONE
[Signature]		90	Sgt	
MONTH	DAY	YEAR	DAY OF WEEK	TIME
7	31	14	Thurs	9:27 pm
SUBJECT INFORMATION				
FIRST NAME	MID INITIAL	LAST NAME	SUFFIX	DATE OF BIRTH
Chad	S	Fisher		4-1-77
ADDRESS LINE 1		ADDRESS LINE 2		CITY
3468 Grattan Rd				Opate
PHONE 1	PHONE 2	PHONE 3	RACE	ETHNICITY
			W	C
GENDER		SS#	DL#	BL STATE
M			0546176	TN

Are you willing to consent to a blood and/or breath test? (If yes, skip to Section III. If no, proceed below to Section II.)

## Section II

<b>Reasons for a Mandatory Test:</b> 1. Involvement in a crash with injury to someone other than the driver. 2. Involvement in a crash with death to someone other than the driver. 3. Prior conviction for DUI, Vehicular Assault, or Vehicular Homicide. 4. A child under age 16 is in the vehicle.	If the answer to ANY of the questions to the left is Yes, then check the Mandatory box below.  If the answer to ALL of the questions to the left is No, then check the Non-Mandatory box below.
---	---

☒ (Non-Mandatory)

You are under arrest and there are reasonable grounds to believe you were driving or in physical control of a motor vehicle while under the influence of alcohol and/or drugs (DUI). As required by TCA §55-10-406, I am requesting that you take a chemical test or tests to check for evidence of alcohol and/or drugs or substances that impair your ability to drive.

☐ (Mandatory)

There is probable cause to believe that you have committed a crime that requires blood and/or breath testing.

If you refuse to submit to either or both of these tests, they will not be given unless required by law. If you do refuse to be tested your license will be suspended for at least one year and up to five years, depending on your driving history. Also, if you refuse you may be ordered to install and keep an ignition interlock on your vehicle for a year or more.

If your license is currently suspended for DUI, Vehicular Assault, Vehicular Homicide or Aggravated Vehicular Homicide and you refuse or attempt to refuse to submit to either or both tests, you commit the crime of violating the implied consent law. If a Judge finds you guilty of this separate offense, the Judge shall sentence you to a minimum of five days and up to eleven months and twenty-nine days in jail in addition to any sentence for DUI and a mandatory fine of up to \$1,000.

After being informed that there is probable cause that you have committed a crime which requires you to submit to a blood and/or breath test, and being requested to submit to a chemical test or tests to determine the alcohol and/or drug content of your blood, and also having the consequences of refusing to submit to such tests explained to me, I state that:

## Section III

Check One:

☐ I WILL CONSENT TO A TEST OR TESTS

☒ I WILL NOT CONSENT TO A TEST OR TESTS

[Signature]  
SUBJECT'S SIGNATURE

9:27

TIME OF SIGNATURE

☒ AM  
☐ PM

☐ By the subject having agreed by signature or legal requirement to submit to test or tests, I have requested at a minimum that the above individual be submitted to a breath test. I have observed the individual for twenty minutes prior to the breath test and during this time he/she did not have any foreign matter in their mouth, did not smoke, regurgitate, or drink any alcoholic beverage.

☐ I did not have any foreign matter in my mouth, did not smoke, regurgitate or drink any alcoholic beverage during the twenty minutes I was observed prior to the breath test.

SUBJECT'S SIGNATURE

DATE

WITNESS (If Any)		TESTING INFORMATION	
TEST OR TESTS OTHER THAN BREATH WERE REQUESTED?		LOCATION OF TEST	
RESULTS	BLOOD	BREATH	TIME ADVISED OF RESULTS